

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ELISABETH STURGILL,	:	Civil No. 1:19-CV-00925
	:	
Plaintiff,	:	
	:	
v.	:	Judge Jennifer P. Wilson
	:	
BOILERMAKER-BLACKSMITH NATIONAL PENSION TRUST,	:	
	:	
Defendant.	:	Magistrate Judge Susan E. Schwab

ORDER

Before the court is the report and recommendation of United States Magistrate Judge Susan E. Schwab recommending that Plaintiff’s motion for summary judgment be denied and Defendant’s motion for summary judgment be granted. (Doc. 36.) No party has filed objections to the report and recommendation, resulting in the forfeiture of de novo review by this court. *Nara v. Frank*, 488 F.3d 187, 194 (3d Cir. 2007) (citing *Henderson v. Carlson*, 812 F.2d 874, 878–79 (3d Cir. 1987)).

Following an independent review of the report and record, and affording “reasoned consideration” to the uncontested portions of the report, *EEOC v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (quoting *Henderson*, 812 F.2d at 879), to “satisfy [the court] that there is no clear error on the face of the record,” Fed. R. Civ. P. 72(b), advisory committee notes, the court finds that Judge

Schwab's analysis is well-reasoned and fully supported by the record and applicable law. Accordingly, **IT IS ORDERED THAT:**

- 1) The report and recommendation is **ADOPTED** in its entirety. (Doc. 36.)
- 2) Plaintiff's motion for summary judgment, Doc. 21, is **DENIED**.
- 3) Defendant's motion for summary judgment, Doc. 24, is **GRANTED**.
- 4) The Clerk of Court is directed to close this case.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania

Dated: September 10, 2021